

DECLARATION AND POWER OF ATTORNEY

10/540350

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter, which is claimed and for which a patent is sought in the application entitled:

**OBSTACLE WARNING SYSTEM FOR RAILBORNE VEHICLES**

<u>Declaration</u>	<u>Declaration</u>	<u>x</u> based on Application No. <u>PCT/DE2003/003921</u>
<u>Submitted</u>	<u>Submitted after Initial</u>	filed <u>November 27, 2003</u> , and amended on
<u>with Initial</u>	<u>Filing (surcharge</u>	
<u>Filing</u>	<u>(37 CFR 1.16(e)) required)</u>	<u>(for declaration not accompanying application)</u>

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing Date	Priority Claimed (yes or no)
102 60 555.6	Germany	December 21, 2002	yes

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any material information under 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status (patented, pending, abandoned)
-----------------	-------------	--

I hereby appoint Stephan A. Pendorf, Reg. No. 32,665; Yaté K. Cutliff, Reg. No. 40,577 my attorneys, and Evelyn A. Defillo, Reg. No. 45,630, my agent, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to Stephan A. Pendorf at Pendorf & Cutliff, 5111 Memorial Highway, Tampa, FL 33634-7356; Customer No.: 000041288.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

100 Date 05/16/2005 First Inventor Helmut G. KLAUSING

First Name Middle Initial Last Name

Signature Helmut Klausning

Residence: same as mailing Mailing Address Am Droessel 8, 82234 Wessling-Hochstadt

Citizenship GERMAN GERMANY

BEST AVAILABLE COPY

SOLE/JOINT  
ATTY DOCK: 3926.170  
DECLARATION AND POWER OF ATTORNEY  
PAGE TWO

2-00  
Date 05/19/2005 Second Inventor Jochen G. KAEPPPEL  
First Name Middle Initial Last Name  
Signature Jochen Kaeppel  
Residence: same as mailing Mailing Address Am Nachtigallental 2, 38530 Diddersede DEX  
GERMANY  
Citizenship GERMAN

\*EXPRESS MAIL\* LABEL NO.: EV55057980205  
I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE  
UNITED STATES POSTAL SERVICE \*EXPRESS MAIL POST OFFICE TO  
ADDRESSEE\* SERVICE UNDER 37 CFR 1.10 IN AN ENVELOPE ADDRESSED  
TO: THE COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA  
22313-1450, ON THIS DATE. THE COMMISSIONER IS HEREBY AUTHORIZED  
TO CHARGE ANY FEES ARISING HEREFROM AT ANY TIME TO DEPOSIT  
ACCOUNT 16-0877.

6/21/05 Donna Z Hart  
DATE SIGNATURE